

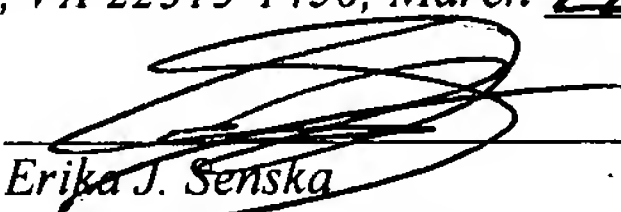
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LEVIN et al. Atty. Dkt. No.: 2488.032
Serial No.: 10/561,933 Examiner: Unknown
Filed: December 22, 2005 Group Art Unit: 3763
Confirmation No.: 2953

Title: TRANSDERMAL DELIVERY SYSTEM FOR COSMETIC AGENTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, March 22, 2007.


Erika J. Senska
Attorney for Applicants
Registration No. 53,312
Date of Signature: March 22, 2007

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)**

Dear Sir:

This is a Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/elected Office (DO/EO/US), mailed from the U.S. Patent and Trademark Office on January 23, 2007. A response to the Notice is due by March 23, 2007. Therefore, this Response is timely filed.

Enclosed herewith are:

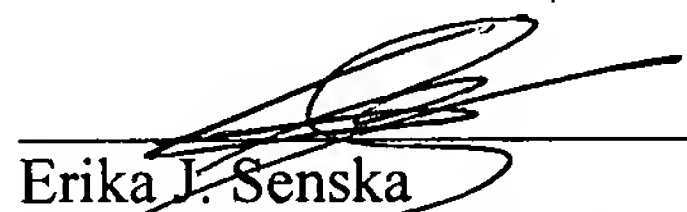
- (a) One (1) return receipt postcard;
- (b) Transmittal Letter;
- (c) Check in the amount of \$215.00, which includes a surcharge for late submission of the executed Declaration and Power of Attorney (\$60.00), and insufficient application search fee (\$150.00).

- (d) A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (e) Executed Declaration and Power of Attorney; and
- (f) Petition for Filing Under 37 CRF 1.47(a) with Statement of Facts and Exhibits A-D.

With respect to the attached executed Declaration and Power of Attorney, although the first page of the Declaration does not identify the specification to which it pertains, the international application number and international filing date are identified on page two of the Declaration pursuant to the Notification of Missing Requirements. Therefore it is respectfully submitted that this Declaration unambiguously identifies the application for which it pertains and fulfills the necessary requirements.

The Commissioner is hereby authorized to charge any deficiency or credit any refund to Deposit Account No. 08-1935.

Respectfully submitted,


Erika J. Senska
Attorney for Applicants
Reg. No. 53,312

Date: March 22, 2007

Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle
Albany, NY 12203
Tel: 518-452-5600
Fax: 518-452-5579

03/30/2007 MKAYPAGH 00000001 10561933
01 FC:1614 200.00 OP

03/29/2007 MKAYPAGH 00000110 10561933
01 FC:2617 65.00 OP

04/02/2007 MKAYPAGH 00000001 10561933
01 FC:2642 200.00 OP

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 9-2006)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

2488.032

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/561,933

INTERNATIONAL APPLICATION NO.
PCT/IL04/00561INTERNATIONAL FILING DATE
06/23/2004PRIORITY DATE CLAIMED
06/23/2003

TITLE OF INVENTION

TRANSDERMAL DELIVERY SYSTEM FOR COSMETIC AGENTS

APPLICANT(S) FOR DO/EO/US

Levin et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (25) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ An Application Data Sheet under 37 CFR 1.76.
18. ☐ A substitute specification.
19. ☒ A power of attorney and/or change of address letter.
20. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825.
21. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
22. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
23. ☐ Express Mail Label No.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/561,933	INTERNATIONAL APPLICATION NO. PCT/IL04/00561	ATTORNEY'S DOCKET NUMBER 2488.032
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24. Other items or information:
Return Receipt Postcard
Petition for Filing Under 37 CFR 1.47(a) with Statement of Facts and Exhibits A-D
Response To Notification of Missing Requirements
Copy of the Notification of Missing Requirements

	CALCULATIONS	PTO USE												
The following fees have been submitted:														
25. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300	\$0.00													
26. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article All other situations. \$200	\$0.00													
27. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500	\$0.00													
TOTAL OF 25, 26 and 27 =	\$0.00													
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)).														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 15%;">RATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">/50 =</td> <td style="text-align: center;">0</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">x \$250.00</td> </tr> </tbody> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0	/50 =	0				x \$250.00	\$0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE											
- 100 =	0	/50 =	0											
			x \$250.00											
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$430.00													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x \$50.00	Independent claims	- 3 =	0	x \$200.00	\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	- 20 =	0	x \$50.00											
Independent claims	- 3 =	0	x \$200.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00	\$0.00													
TOTAL OF ABOVE CALCULATIONS =	\$430.00													
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.	\$215.00													
SUBTOTAL =	\$215.00													
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$0.00													
TOTAL NATIONAL FEE =	\$215.00													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +	\$0.00													
TOTAL FEES ENCLOSED =	\$215.00													
	Amount to be	\$												
	Amount to be	\$												

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ \$215.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1935. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission.
Please

be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Erika J. Senska, Reg. No. 53,312
Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle
Albany, New York 12203
Ph: (518) 452-5600
Fx: (518) 452-5579


SIGNATURE

Erika J. Senska

NAME

53,312

REGISTRATION NUMBER

March 22, 2007

DATE

1/24



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,933	Galit Levin	2488.032

23405
 HESLIN ROTHENBERG FARLEY & MESITI PC
 5 COLUMBIA CIRCLE
 ALBANY, NY 12203

JP

INTERNATIONAL APPLICATION NO.	
PCT/IL04/00561	
I.A. FILING DATE	PRIORITY DATE
06/23/2004	06/23/2003

CONFIRMATION NO. 2953

371 FORMALITIES LETTER



OC000000022098709

Date Mailed: 01/23/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Preliminary Amendments filed on 12/22/2005
- Information Disclosure Statements filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005
- Power of Attorney filed on 12/22/2005

DOCKETED 3/23/07

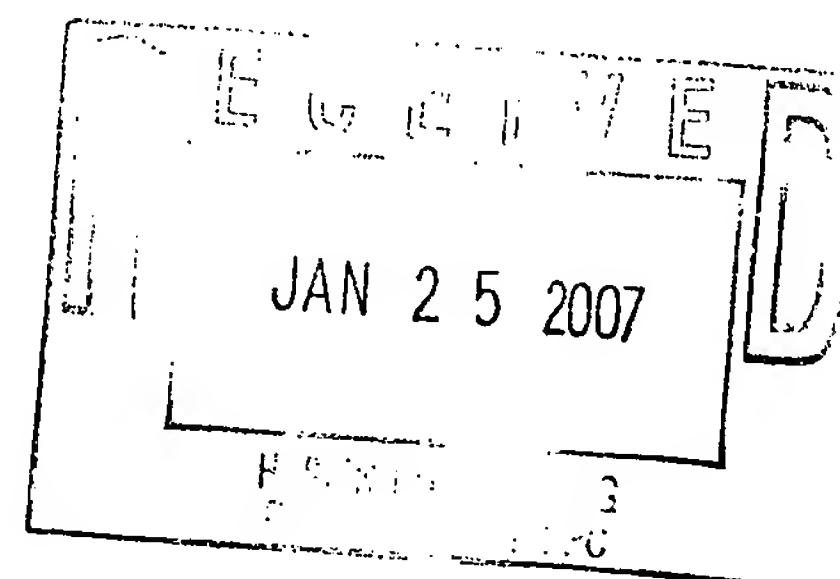
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$215 for a Small Entity:



- **\$65 Surcharge.**

- The application search fee is insufficient. Applicant must submit **\$150** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,933	PCT/IL04/00561	2488.032